

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:  
CARLOS JAVIER RODRIGUEZ RIOS

XXX-XX-0335

DEBTOR (S)

CASE NO.:08-06234-ESL

CHAPTER 13

NEGATIVE  
STANDING CHAPTER 13 TRUSTEE'S CERTIFICATION RELATED TO DISCHARGE  
PURSUANT TO 11 USC §1328(a), (f), (g)(1), (h) AND  
RULES 1007(b)(7) & (8) OF THE FRBP AND LBR  
3015-2(j)

TO THE HONORABLE COURT:

NOW COMES José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

Section 1328(a) & LBR 3015-2(j) DSO Certification of Compliance

The Trustee is unable to determine if debtor(s) is/are current with her/his/their domestic support obligations. The Court has/have not approved a written waiver of discharge executed by the debtor(s).

Section 1328(f) No Prior Discharge Requirement

According to the case record the debtor(s) HAS/HAVE NOT RECEIVED a discharge under Chapters 7, 11 or 12 during the 4-year period preceding this case petition date.

Instructional Course Requirement Pursuant to  
Section 1328(g)(1) & FRBP Rule 1007(b)(7)

According to the case record debtor(s) HAS/HAVE FILED CERTIFICATION(S) of completion of an instructional course concerning personal financial management described in 11 U.S.C. §111 as required by Rule 1007(b)(7) of the FRBP.

Applicability of Section 1328(h) & FRBP Rule 1007(b)(8)

Subsection (h) of §1328 IS NOT APPLICABLE to the debtor(s) in this case since he/she/they, pursuant to §522(b)(2), elected to use federal exemptions under §522(d).

CONCLUSION

Above described facts shows that debtor(s) has/have not comply with the required conditions to be entitled to a Chapter 13 discharge. Hence the case required without the entry of a discharge after the court approval of the Trustee's Final Report.

WHEREFORE, the Trustee hereby respectfully prays from this Honorable Court that after the Trustee's Final Report is approved an order be entered Closing the Case without the entry of debtor(s)'discharge, pursuant to 11 USC §1328(a),Rule 4006 of FRBP and LBR 3015-2(j) (4).

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served on the same date it is filed to:the DEBTOR(s) and to all parties in interest by first class mail to their address of record, and also to her/his/their attorney by first class mail, if not a ECFS register user.

In San Juan, Puerto Rico this November 22, 2013.

/s/ Jose R. Carrion

JOSE R. CARRION  
CHAPTER 13 TRUSTEE  
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The undersigned hereby certifies that a true copy of the foregoing document was mailed by first class mail to the parties listed below:

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DATED: November 22, 2013

SANDRA DIAZ

OFFICE OF THE CHAPTER 13 TRUSTEE